



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor

Kathleen Clarke  
Executive Director

Lowell P. Braxton  
Division Director

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August 23, 1999

First Security Bank  
405 South Main  
Salt Lake City, Utah 84110

Attention: Allison Knudson

Re: Certificate of Deposit for American Stone, Rosebud Quarry, M/003/026, Box Elder County, Utah

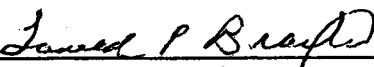
This is in regards to regulatory requirements of the mining statute and rules of the State of Utah, Division of Oil, Gas and Mining (DOGM) and the Department of the Interior, Bureau of Land Management (BLM), governing the operations and reclamation of the Rosebud Quarry, Permit Number M/003/026, operated by American Stone.

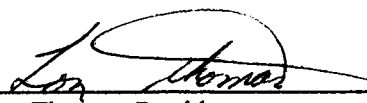
A Certificate of Deposit will be issued by First Security Bank for \$15,000 and be automatically renewable upon expiration. The Certificate should be made out in the name of the State of Utah, Division of Oil, Gas and Mining and the Department of the Interior, Bureau of Land Management. The interest earned by the Certificate of Deposit for the first three months will be added back on to the Certificate of Deposit. After that, the interest earned will be dispersed quarterly and deposited into American Stone's account. If the Certificate is redeemed before the maturity date and the penalty reduces the face value of \$15,000, the agencies will go to American Stone for reimbursement of that loss. If redeemed after the maturity date, then \$15,000 will go to the agencies and the remaining balance will go to American Stone's account. The Certificate of Deposit can only be redeemed by the DOGM and the BLM.

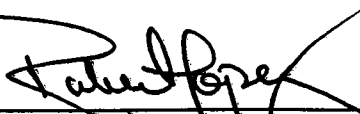
If the statute or rules of the DOGM or the BLM are violated with respect to the operation or reclamation of the Rosebud Quarry covered by this surety, the DOGM and the BLM have the authority to call the Certificate on demand, for the full amount of \$15,000. Any loss due to an early redemption penalty will be the responsibility of American Stone and will not be the expense or responsibility of the DOGM or the BLM.

The Division of Oil, Gas and Mining Director's signature Lowell P. Braxton (or the appropriate Division Director at that time) and the BLM Authorized Officer's signature (Bob Lopez (or the appropriate BLM Authorized Officer at that time)) will be required to call the Certificate or release said funds back to American Stone. First Security Bank will not be held liable for any dispute between the parties. These rules pertain to the Certificate of Deposit Number: [REDACTED].

Agreed upon by:

  
\_\_\_\_\_  
Lowell P. Braxton, Director  
Division of Oil, Gas and Mining  
Tax ID Number: [REDACTED]

  
\_\_\_\_\_  
Lon Thomas, President  
American Stone  
Tax ID Number: [REDACTED]

  
\_\_\_\_\_  
Authorized Officer, Bureau of Land Management  
Tax ID Number: 840497540